

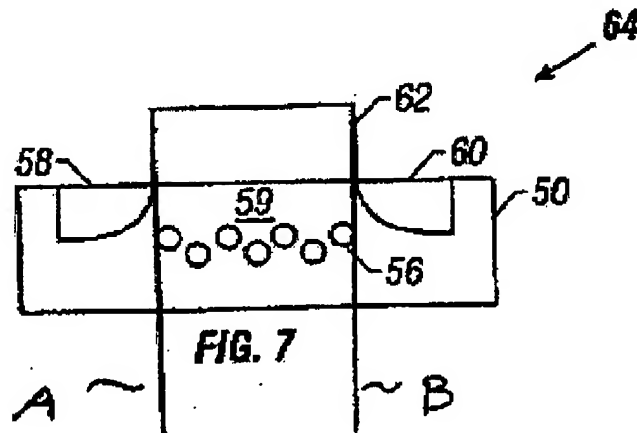
REMARKS

In the Office Action dated January 5, 2006, claims 1, 3, 6, and 7 were rejected as being anticipated by U.S. Patent Application Publication No. 2002/0074598A1 to Doyle et al. ("Doyle"). The Office Action stated that claim 1 recites "an impurity . . . laterally spaced from the source and drain regions." Applicants respectfully respond that the Office Action does not accurately reflect claim 1. In an amendment filed on September 27, 2005, claim 1 was amended to recite "the impurity region having a first outer boundary that is proximate, but laterally spaced apart from the source region and a second outer boundary proximate, but laterally spaced apart from the drain region." Although this amendment was not entered under 37 CFR 1.116, the amendment should properly have been entered as a matter of right under 37 CFR 1.114 when Applicants timely filed a Request for Continued Examination (RCE) and fees on November 2, 2005.

As it currently stands, therefore, claim 1 recites an "impurity region having a first outer boundary that is proximate, but laterally spaced apart from the source region and a second outer boundary proximate, but laterally spaced apart from the drain region." The Office Action fails to address this limitation, and nothing in Doyle teaches or suggests this limitation.

Examiner has previously asserted that "it is readily apparent from [Doyle] that the impurities are scattered between the source and drain regions, and therefore, they are laterally spaced from the source and drain," (See Final Office Action, Para. 7, dated August 4, 2005). While Applicants do not necessarily agree with Examiner's assertion, it is nonetheless moot, since claim 1 has been amended to require an "outer boundary" that is proximate but laterally spaced apart from the source region and a second "outer

boundary” that is proximate but laterally spaced apart from the drain region. Doyle clearly lacks these limitations, as shown in the below reproduced Figure 7 from Doyle.



For Examiner's convenience, the “outer boundary” of alleged impurity region 56 of Doyle is highlighted by lines A and B. Note that the outer boundary marked by line A is aligned with source region 58 and the outer boundary marked with line B is aligned with drain region 60. This is in marked contrast to claim 1, as amended in Applicants' last filing, which requires that the respective outer boundaries be proximate but “laterally spaced apart from” the respective source and drain regions. For at least this reason, claim 1 and by dependence claims 3, 6, and 7 are patentably distinct over Doyle.

Claim 2 was rejected as being unpatentable over Doyle in view of U.S. Patent No. 4,069,094 issued to Shaw et al. (“Shaw”). Claims 4 and 5 were rejected as being unpatentable over Doyle alone, and claims 8 and 9 – 12 were rejected as being unpatentable over Doyle in view of U.S. Patent No. 6,759,717 issued to Sagarwala et al. (“Sagarwala”). Each of these rejections is premised upon the above-discussed reliance upon an earlier version of claim 1. Because claim 1 has been amended as discussed

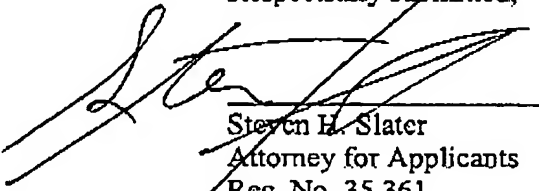
above, in a manner that clearly distinguishes over Doyle, the rejection of claims 2, 4, 5, 8, and 9 – 12 is moot. Furthermore, neither Shaw nor Sagarwala provides a teaching or suggestion of an impurity region having an “outer boundary” that is “proximate but laterally spaced apart from” the respective source and drain regions. Hence, the combination of Doyle with these references does not make obvious the respective claimed inventions.

For at least the reasons provided above, claims 1 – 12 are patentable over the cited references. Applicants respectfully request that Examiner re-consider the rejection of the claims in light of the Amendment filed on September 27, 2005 – and made of record in the RCE filing of November 2, 2005, and in light of the above Remarks.

A prompt indication of the allowance of claims 1 – 12 and passage of the present application to issuance is respectfully requested. No fee is believed due in connection with this filing. However, in the event that there are any fees due, please charge the same, or credit any overpayment, to Deposit Account No. 50-1065.

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Respectfully submitted,


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